

Remarks

Reconsideration and withdrawal of the objections and rejection set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1-7 are now pending in the application, with Claim 1 being independent. Claims 1-7 have been amended herein.

The drawings were objected to for using reference "2h", which is not used in the specification. In response, in the accompanying Letter Transmitting Corrected Formal Drawings, Figs. 1 and 4 have been amended to delete reference character "2h". Favorable consideration and withdrawal of the objection to the drawings are also requested.

The title has been amended as requested by the Examiner. Favorable consideration is requested.

Claims 1-7 were rejected under 35 U.S.C. § 102 as being anticipated by Japanese Patent Document No. 2001-343825 (Shida). This rejection is respectfully traversed.

As recited in independent Claim 1, the present invention relates to a developing apparatus including a developer container, first and second carrying members, a developer supplying device and a discharge opening. The developer container contains developer including toner and carrier. The first carrying member is provided in the developer container for carrying the developer to develop an electrostatic image formed on an image bearing member, whereas the second carrying member is provided in the developer container for rotating to carry the developer in a rotation axial direction of the

second carrying member. The developer supplying device supplies the developer container with supplemental developer including toner and carrier. The discharge opening is provided in an area of the developer container in which the developer is carried by the second carrying member. Excess developer resulting from a supply of the supplemental developer is discharged out of the developer container through the discharge opening. A developer carrying capability in the rotation axial direction of the second carrying member is greater in an area near the discharge opening than in an area downstream of the discharge opening in a carrying direction of the developer.

Shida discloses a developer container 31, a development sleeve 38, developer churning screws 36 and 37, and a toner store R3 for supplying toner 33 through opening 34. The developer supplying device of Shida, however, supplies only toner 33, but does not supply “supplemental developer including toner and carrier” as recited in Claim 1.

Furthermore, Shida does not disclose a discharge opening as recited in Claim 1. The Examiner takes a position that the spaces on the opposed ends of a septum 44 connecting a room R1 and a room R2 in the developer container 31 correspond to the discharge opening of the invention. These spaces, however, are used for the flow of developer circulating within the developer container, but are not for discharge “out of the developer container” as recited in Claim 1.

Therefore, Shida fails to disclose or suggest important features of the present invention recited in Claim 1.

Thus, independent Claim 1 is patentable over the citations of record.

Reconsideration and withdrawal of the § 102 rejection are respectfully requested.

For the foregoing reasons, Applicant respectfully submits that the present invention is patentably defined by independent Claim 1. Dependent Claims 2-7 are also allowable, in their own right, for defining features of the present invention in addition to those recited in their respective independent claims. Individual consideration of the dependent claims is requested.

Applicant submits that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the objections and rejection set forth in the above-noted Office Action, and an early Notice of Allowability are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark A. Williamson', written over a horizontal line.

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